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Attorneys for Plaintiff  
ALCATRAZ CRUISES, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In the Matter of the Complaint of  
ALCATRAZ CRUISES, LLC,  
Plaintiff,  
For Exoneration from or Limitation of  
Liability.

CV 10 Case No.: 1572  
[PROPOSED] ORDER  
DIRECTING ISSUANCE OF  
INJUNCTION AND MONITION

A complaint having been filed in this Court by ALCATRAZ CRUISES, LLC ("Plaintiff") on April 13, 2010, as owner of that certain LCM8 vessel, hull number LCM8 C200804, having Coast Guard number 1,191,433 ("the Vessel"), seeking exoneration from or limitation of liability as provided for by statute, for all losses, injuries, damages, and deaths resulting or arising from the subject incident involving the alleged injuries suffered by David D. Frederick on or about September 5, 2007; and

It appearing from Plaintiff's complaint that the value of the Vessel after the incident does not exceed \$375,000, and that claims may be asserted against Plaintiff for loss, injuries, damage, or death, and that said claims are subject to limitation in the action now on file in this Court; and

Upon the application of the Plaintiff's, IT IS HEREBY ORDERED that a notice and motion issue out of and under the seal of this Court to and against all persons and entities claiming losses, damages, injuries, or death resulting or arising from the subject incident of

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[PROPOSED] ORDER DIRECTING ISSUANCE OF INJUNCTION AND MONITION

Case No.: \_\_\_\_\_

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CHA.Frederick.2827

1 the Vessel admonishing them to appear and file their respective claims and answers with the  
 2 Clerk of this Court on or before July 1, 2010, and to make due proof of  
 3 their respective claims in such manner as may hereinafter be directed by further order of  
 4 this Court, with liberty to any claimants who have duly filed their claims to answer  
 5 Plaintiff's complaint and to file such answer with the Clerk of this Court on or before the  
 6 date specified above; and


7 IT IS FURTHER ORDERED that Plaintiff shall give public notice of said motion  
 8 pursuant to Federal Rules of Civil Procedure, Supplemental Rule F(4) for Certain Admiralty  
 9 and Maritime Claims, by causing such notice to be published in a newspaper of general  
 10 circulation in San Francisco, California, once per week for four consecutive weeks prior to  
 11 the date fixed herein for the filing of claims; and

12 IT IS FURTHER ORDERED that not later than the date of the second publication of  
 13 said notice, the Plaintiff shall mail a copy of said notice to every person and entity known to  
 14 have made any outstanding claim against the Plaintiff or the Vessel arising from the subject  
 15 incident; and

16 IT IS FURTHER ORDERED that the institution or prosecution of any suit, action,  
 17 or other legal or administrative proceeding of any nature in any venue (outside these  
 18 proceedings) against the Plaintiff or the Vessel regarding any claim resulting or arising from  
 19 the subject incident voyage IS HEREBY ENJOINED, said injunction to remain in effect  
 20 until the determination of this action in this Court; and

21 IT IS FURTHER ORDERED that service of this order as an Injunction shall be  
 22 made by delivering a certified copy hereof to the person or persons to be enjoined, or to  
 23 their respective attorneys or representatives.

24  
 25 SO ORDERED this 17th day of May, 2010, at San Francisco, California.

26  
 27   
 28 JUDGE OF THE U.S. DISTRICT COURT  
 For the Northern District of California  
 Magistrate Judge Bernard Zimmerman

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